

Claims 1-3, 5-10, 17, and 19-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Witt (U.S. Patent Publication No. 2004/0003314). The rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 1 recites “[a] method of creating an image file of target information to be additionally written in an information recording medium.” The method comprises “a first step of creating image data of the target information; a second step of obtaining identification information of the information recording medium; and a third step of creating an image file having the image data in association with the identification information.” Applicant respectfully submits that Witt fails to disclose the subject matter of claim 1.

Claim 17 recites “[a]n information recording system for recording information in an information recording medium.” The system comprises “an information processing device having a file creation part, in response to a request to create an image file of target information to be additionally written in an information recording medium, creating an image file including image data of the target information in association with identification information of the information recording medium; and an information recording device, in response to a recording request from the information processing device, recording the target information in the information recording medium.” Applicant respectfully submits that Witt fails to disclose the subject matter of claim 17.

Witt relates to an image file format and a method of creating and restoring an image file. (Witt, ¶ 8). Witt discloses a system of capturing the contents of a source storage media (also referred to in Witt as a target storage media) and storing the contents as an image file on a destination storage media. (Witt, ¶¶ 8, 48, 49, 52, 53). Witt also discloses that the image file from the destination storage media is used to

restore the storage media to a previous state or allow multiple computers to be provided with a common configuration. (Witt, ¶¶ 8, 52, 53).

Applicant respectfully submits that Witt does not disclose “[a] method of creating an image file of target information to be additionally written in an information recording medium,” as recited in claim 1 and similarly recited in claim 17. (emphasis added). Witt simply discloses writing an image file to a destination storage medium. Applicant respectfully submits that, unlike the inventions of claims 1 and 17, Witt suggests writing an image file to only a blank destination storage medium. Witt does not disclose or suggest that an image file is “additionally written” to a destination storage medium that already contains data.

Furthermore, Applicant respectfully submits that Witt does not disclose “a second step of obtaining identification information of the information recording medium; and a third step of creating an image file having the image data in association with the identification information,” as recited in claim 1 and similarly recited in claim 17. Witt only discloses obtaining information from the source storage media, and creating an image file that includes information from the source storage media. Witt does not disclose or suggest obtaining information from the destination storage media, and creating an image file that includes information from the destination storage media.

In light of the above, Applicant respectfully submits that Witt fails to disclose or suggest the subject matter of claims 1 and 17. Claims 2-3 and 5-10 depend from claim 1 and are allowable for at least the same reasons. Claims 19-22 depend from claim 17 and are allowable for at least the same reasons. As such, Applicant respectfully requests that the rejection be withdrawn and the claims allowed.

Claims 4 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Witt in view of Ito, U.S. Patent No. 6,788,346. The rejection is respectfully traversed and reconsideration is respectfully requested.

As previously discussed, Witt fails to disclose, teach, or suggest the subject matter of claims 1 and 17. Claim 4 depends from claim 1. Claim 23 depends from claim 17. As such, Witt alone can not render claims 4 and 17 unpatentable. Applicant respectfully submits that Ito fails to cure the deficiencies of Witt. Ito relates to a video signal recording apparatus using an information recording medium, having a unit for identifying and detecting a write-object type information recording medium and a rewritable type information recording medium; a control unit for each of the write-object type information recording medium and the rewritable type information recording medium; and a display apparatus for displaying a detection result of the detecting unit. Applicant respectfully submits that Ito does not disclose or suggest "a second step of obtaining identification information of the information recording medium; and a third step of creating an image file having the image data in association with the identification information," as recited in claim 1 and similarly in claim 17. Accordingly, the cited combination fails to disclose the subject matter of claims 4 and 23. Applicant respectfully requests the withdrawal of the rejection and allowance of the claims.

Claim 18 stands objected to as being dependent upon a rejected base claim, but is otherwise allowable. Claim 18 depends from claim 17 and is allowable for at least the reasons set forth above with respect to claim 17. Accordingly, the objection should be withdrawn and the claim allowed.

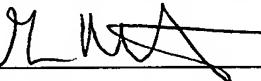
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In view of the above response, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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